

AMENDMENTS TO THE DRAWINGS

Applicant submits herewith two sheets of formal replacement drawings for Figures 4 and 6.

Attachment: 2 Replacement Sheets

REMARKS

Claim 1-4 have been examined and have been rejected under 35 U.S.C. § 103(a).

I. Preliminary Matters

The Examiner has objected to the Abstract as exceeding 150 words. Accordingly, Applicant has amended the Abstract in a manner believed to overcome the objection.

The Examiner has also objected to claims 3 and 4 as being of improper dependent form. Applicant respectfully traverses the Examiner's assertion and refers the Examiner to MPEP §2173.05(f). As set forth therein, reference to a preceding claim to define a limitation is an acceptable claim format.

Finally, Applicant provides herewith two formal replacement figures to include reference numerals for the claimed "space" (i.e., reference numerals 13 and 313). Applicant has also amended the specification to include the reference numerals. Such amendment merely provides reference numerals for a feature already shown in the drawings, described in the specification and recited in the claims. Thus, no new matter has been presented.

II. Rejections under 35 U.S.C. § 103(a) in view of U.S. Publication No. 2001/0028129 to Oono et al. ("Oono") and JP 09039025 to Kobayashi et al. ("Kobayashi") (both assigned to Dai Nippon Printing Co., Ltd.)

The Examiner has rejected claims 1-4 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Oono in view of Kobayashi.

A. Claim 1

Claim 1 recites,

“said clamper comprises a pushing frame that abuts on said parting surface of said female mold via said decorative sheet when said decorative sheet is pressed and fastened, and at least one connecting member connecting said pushing frame and means of driving said pushing frame, wherein:

“said clamper is formed in such a shape that, when said pushing frame is in abutment with said parting surface of said female mold, there is established a space between said connecting member and said parting surface in which said clamping devices can pass through.”

As shown in Figure 15, Oono discloses a male mold 1, a female mold 2, a transport chuck 34 for feeding a decorative sheet X between the male and female molds and a type of clamper 32 for pressing the sheet X onto the female mold 2. On page 4 of the Office Action, the Examiner maintains that the frame portion of suppressing frame 32 (alleged clamper) discloses the claimed pushing frame and the grooves 2b disclose the claimed parting surface of the female mold 2. Furthermore, the Examiner maintains that the sliding rods 36 disclose the claimed connecting member of the pushing frame (Fig. 15).

In regard to the claimed “space,” the Examiner refers to Figure 16 of Oono and maintains that a space is shown between the alleged connecting member 36 and the alleged parting surface 2b. Applicant respectfully disagrees with the Examiner’s position. For example, the sliding rods 36 (alleged connecting member) extend *through* the female mold 2 and the groove 2b (alleged parting surface). Thus, there is technically no “space” between the sliding rods 36 and the groove 2b itself.

Furthermore, claim 1 specifically recites that the clamper is provided such that when the pushing frame is “in abutment” with the parting surface of the female mold, the space is established between the connecting member and the parting surface. Figure 16 of Oono depicts

the suppressing frame 32 (alleged clamper) in a position that is retreated away from the groove 2b (alleged parting surface). When the suppressing frame 32 is actually in abutment with the groove 2b, there is no space provided between the suppressing frame 32 and the groove 2b, let alone between the sliding rods 36 and the groove 2b (see Fig. 19; para. [0080]). The claimed space is provided so that the clamping device can pass therethrough. As set forth in the non-limiting embodiment on page 5 of the present Application, due to the space, the sheet can be fastened by the clamper without having to wait until the clamping device of the transport chuck is brought back to the standby position (i.e., since the clamping devices can pass through the space). Oono clearly fails to teach or suggest such a feature.

Since Kobayashi fails to cure the above-noted deficient teaching of Oono, Applicant submits claim 1 is patentable over the cited references.

B. Claim 2

Applicant submits that claim 2 is patentable at least by virtue of its dependency.

C. Claim 3

Applicant submits that claim 3 is patentable for at least analogous reasons as claim 1. In particular, both the Oono and Kobayashi references fail to teach or suggest the claimed space between the clamper and the female mold through which the clamping devices can be brought back to their original position.

D. Claim 4

Applicant submits that claim 4 is patentable at least by virtue of its dependency.

III. Newly Added Claim

By this Amendment, Applicant has added new independent claim 5. Applicant submits that claim 5 is patentable for at least analogous reasons as claim 1.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Allison M. Tulino

Registration No. 48,294

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: February 6, 2009